REMARKS

I. Introduction

In response to the Office Action dated May 17, 2007, Applicants have amended claim 1 in order to overcome the § 112 rejections and to further clarify the present invention. Claim 6 has been cancelled, without prejudice. No new matter has been added.

For the reasons set forth below, Applicants respectfully submit that all pending claims are patentable over the cited prior art references.

II. The Rejection Of Claims 1 And 12-13 Under 35 U.S.C. § 102

Claims 1 and 12-13 were rejected under 35 U.S.C. § 102(b) as being anticipated by Durand et al. (U.S. 5,180,523). Applicants respectfully submit that Durand et al. fails to anticipate the pending claims for at least the following reasons.

With regard to the present invention, amended claim 1 recites, in-part, a conductive paste comprising: conductive particles and a binder, wherein the conductive particles include primary particles and agglomerate, the agglomerate being controlled such that an agglomeration degree (agglomeration degree= average diameter of agglomerate / average diameter of primary particles) is within a range from 1.05 to 3.90 through an agglomeration process and a disaggregation process of the primary particles.

In one embodiment of the present disclosure, the agglomeration degree is controlled by means of an agglomeration process and a disaggregation process of the primary particles so as to be within the range of 1.05 to 3.90 (see, page 8, lines 12-24). This results in enhanced dispersion

of the conductive paste and reduction in viscosity, which leads to an improved contact between the conductive particles in inner via-hole and eliminates variation in the contact state.

In contrast, Durand does not describe a conductive paste in which the agglomeration degree is controlled through an agglomeration process and a disaggregation process of the primary particles. The characteristics of the above described conductive paste are not obtained from naturally occurring agglomeration degree of the conductive particles, nor from the simple mixing of the conductive particles as described in the Durand reference. As such, the conductive paste of Durand will not exhibit the superior characteristics of the conductive paste of the present invention.

Anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently in a prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), and Durand et al. does not disclose a conductive paste comprising: conductive particles and a binder, wherein the conductive particles include primary particles and agglomerate, the agglomerate being controlled such that an agglomeration degree (agglomeration degree= average diameter of agglomerate / average diameter of primary particles) is within a range from 1.05 to 3.90 through an agglomeration process and a disaggregation process of the primary particles. Therefore, as it is apparent from the foregoing that Durand fails to anticipate amended claim 1 or any dependent claims thereon, Applicants respectfully request that the § 102 rejection be traversed.

III. The Rejection Of Claims 1, 5-6, 8-10 and 13-16 Under 35 U.S.C. § 103

Claims 1, 5-6, 8-10 and 13-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamamoto et al. (USP No. 4,859,364). Applicants respectfully traverse this rejection of the pending claims for at least the following reasons.

As shown above, amended claim 1 of the present invention recites a conductive paste comprising conductive particles which include primary particles and agglomerate. It was alleged that the particle coated with conductive metal comprises an agglomerate particle. However, this is incorrect. The agglomerates must be formed from agglomeration and disaggregation of the primary particles themselves, not of different particles coated with a conductive metal.

Thus, Yamamoto does not disclose a conductive paste comprising conductive particles comprising primary particles and agglomerate of primary particles. Therefore, as it is clear that Yamamoto fails to teach or suggest all the claim limitations of the present invention, Yamamoto fails to render obvious, claim 1, or any claim dependent thereon. Accordingly, Applicants respectfully request that the § 103 rejection of claim 1 be withdrawn.

IV. All Dependent Claims Are Allowable Because The Independent Claim From Which They Depend Is Allowable

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claim 1 is patentable for the reasons set forth above, it is respectfully submitted that all pending dependent claims are also in condition for allowance.

V. Conclusion

Having responded to all open issues set forth in the Office Action, it is respectfully submitted that all claims are in condition for allowance.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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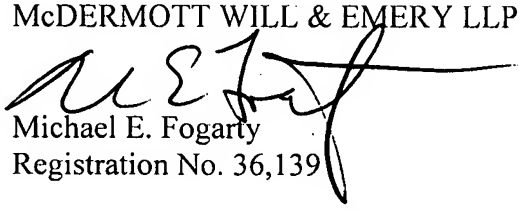

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